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No. 157

THE DISASTER RISK MANAGEMENT ACT

THE DISASTER RISK MANAGEMENT (ENFORCEMENT MEASURES)
(No. 11) (AMENDMENT) (No. 3) ORDER, 2020

WHEREAS the Minister responsible for disaster preparedness and emergency management has given written notice to the Prime Minister that Jamaica appears to be threatened with or affected by the SARS-CoV-2 (Coronavirus COVID-19), and that measures apart from or in addition to those specifically provided for in the Disaster Risk Management Act should be taken promptly:

AND WHEREAS on the 13th day of March, 2020, the Prime Minister by Order declared the whole of Jamaica to be a disaster area:

NOW THEREFORE:

In exercise of the powers conferred upon the Prime Minister by section 26(2) of the Disaster Risk Management Act, and every other power hereunto enabling, the following Order is hereby made:—

1. This Order may be cited as the Disaster Risk Management (Enforcement Measures) (No. 11) (Amendment) (No. 3) Order, 2020, and shall be read and construed as one with the

Disaster Risk Management (Enforcement Measures) (No. 11) Order, 2020, hereinafter referred to as the principal Order, and all amendments thereto.

2. Paragraph 5(6) of the principal Order is amended by deleting the words “September 2” and substituting therefor the words “September 30”.

3. Paragraph 10 of the principal order is amended—

- (a) by deleting sub-paragraph (1) and inserting immediately before sub-paragraph (2) the following sub-paragraphs—

“ (1) Sub-paragraph (1A) applies—

(a) in respect of all parishes except the parishes of St. Thomas, Kingston, St. Andrew, St. Catherine and Clarendon; and

(b) except as otherwise permitted under the Third Schedule.

(1A) During the period from August 27, 2020, to October 1, 2020, commencing at 9:00 pm on August 27, 2020, and ending at 5:00 am on October 1, 2020, each person in a parish to which this sub-paragraph applies shall remain at an abode or place of residence (including the yard) during the hours from 9:00 pm each day to 5:00 am on the following day.

(1B) Sub-paragraph (1C) applies—

(a) in respect of the parishes of St. Thomas, Kingston, St. Andrew, St. Catherine and Clarendon; and

(b) except as otherwise permitted under the Third Schedule.

(1C) During the period from September 2, 2020, to October 1, 2020, commencing at 9:00 pm on September 2, 2020, and ending at 5:00 am on October 1, 2020, each person in a parish to which this sub-paragraph applies shall remain at an abode or place of residence (including the yard) during the hours from 9:00 pm each day to 5:00 am on the following day.”; and

- (c) in sub-paragraphs (2) and (3), in each case by deleting the words “sub-paragraph (1) within the period specified in that sub-paragraph” and substituting therefor the words “this paragraph in respect of the relevant parish within the period specified in this paragraph in respect of the relevant parish”.

4. Paragraph 14 of the principal Order is amended—

- (a) by deleting sub-paragraph (3) and substituting therefor the following—

“ (3) During the period from August 27, 2020, to September 30, 2020, all public transportation for which a licence is required under the Transport Authority Act shall operate only from 4:00 am until 10:00 pm, but no passengers shall be in any such transportation—

(a) between 4:00 am and 5:00 am; and

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- (b) between 9:00 pm and 10:00 pm.”;
- (b) by inserting next after sub-paragraph (8) the following sub-paragraph—
- “ (8A) In the parishes of Kingston, St. Andrew, St. Catherine and Clarendon, during the period from August 27, 2020, to September 2, 2020, notwithstanding sub-paragraph (8) but subject to the requirements specified in sub-paragraph (8)(a) to (p)—
- (a) zoos; and
- (b) parks (including theme parks, but excluding amusement parks, water parks and water attractions),
- may operate only between the hours of 6:00 am and 6:00 pm.”;
- (c) in sub-paragraph (9) by deleting the words “10:00 pm” and substituting therefor the words “8:00 pm”;
- (d) by inserting next after sub-paragraph (9) the following sub-paragraph—
- “ (9A) In the parishes of Kingston, St. Andrew, St. Catherine and Clarendon, notwithstanding sub-paragraph (9) but subject to the requirements specified in sub-paragraph (9)(a) to (n), during the period from—
- (a) August 27, 2020, to September 2, 2020, gyms may operate only between the hours of 6:00 am and 6:00 pm; and
- (b) September 3, 2020, to September 30, 2020, gyms may operate only between the hours of 6:00 am and 8:00 pm.”;
- (e) by deleting sub-paragraph (13) and substituting therefor the following—
- “ (13) Subject to the provisions of sub-paragraph (14), bars that operate under a village retail licence under the Spirit Licence Act may open no earlier than—
- (a) 9:00 am and shall close no later than 6:00 pm, in the parishes of St. Thomas, Kingston, St. Andrew, St. Catherine and Clarendon, during the period from August 27, 2020, to September 2, 2020;
- (b) 9:00 am and shall close no later than 8:00 pm, in the parishes of St. Thomas, Kingston, St. Andrew, St. Catherine and Clarendon, during the period from September 3, 2020, to September 30, 2020; and
- (c) 9:00 am and shall close no later than 8:00 pm, in all other parishes, during the period from August 27, 2020, to September 30, 2020.”;

(f) by inserting next after sub-paragraph (14) the following sub-paragraph—

“ (14A) Bars, other than nightclubs, that operate under a club licence under the Spirit Licence Act may open no earlier than—

- (a) 8:00 am and shall close no later than 6:00 pm, in the parishes of St. Thomas, Kingston, St. Andrew, St. Catherine and Clarendon, during the period from August 27, 2020, to September 2, 2020;
- (b) 8:00 am and shall close no later than 8:00 pm, in the parishes of St. Thomas, Kingston, St. Andrew, St. Catherine and Clarendon, during the period from September 3, 2020, to September 30, 2020; and
- (c) 8:00 am and shall close no later than 8:00 pm, in all other parishes, during the period from August 27, 2020, to September 30, 2020.”; and

(g) in sub-paragraph (15) by deleting the words “August 1, 2020, to September 30, 2020, bars, other than nightclubs, that operate under a club licence under the Spirit Licence Act shall operate only during the hours from 8:00 am to 10:00 pm, and the operator of such a bar” and substituting therefor the words “August 27, 2020, to September 30, 2020, the operator of a bar, other than a nightclub, that operates under the Spirit Licence Act”.

5. Paragraph 15 of the principal Order is amended by deleting the words “September 6, 2020” and substituting therefor the words “October 4, 2020, and shall re-open on a phased basis starting October 5, 2020, with a blended approach of in-person instruction and instruction delivered by electronic means of communication.”.

6. Paragraph 16(5) of the principal Order is amended by inserting, next after the word “Where” the words “necessary to minimise the spread of the SARS – CoV-2 (Coronavirus COVID-19) in the workplace or where”.

7. Paragraph 18 of the principal Order is amended—

- (a) in sub-paragraph (1)(a) by deleting the words “September 30, 2020” and substituting therefor the words “August 27, 2020, or September 11, 2020, to September 30, 2020”;
- (b) in sub-paragraph (2) by deleting the words “September 30, 2020” and substituting therefor the words “August 27, 2020, or September 11, 2020, to September 30, 2020”; and
- (c) by inserting next after sub-paragraph (2) the following sub-paragraphs—

“ (3) No funeral service shall be held during the period from August 27, 2020, to September 10, 2020.

(4) During the period from August 27, 2020, to September 10, 2020, funeral processions shall consist only of—

- (a) the hearse; and
- (b) vehicles transporting mourners, officiating clergy and other funeral officials, to the burial site.”.

8. Paragraph 21 of the principal Order is amended—

- (a) by deleting the words “September 30, 2020” and substituting therefor the words “August 27, 2020, and September 10, 2020, to September 30, 2020”; and
- (b) by renumbering the paragraph as paragraph 21(1) and inserting the following as sub-paragraph 21(2)—

“ (2) No small outdoor events shall be held during the period from August 27, 2020, to September 10, 2020.”.

9. Paragraph 26 of the principal Order is amended by inserting next after sub-paragraph (2) the following sub-paragraph—

“ (2A) Notwithstanding paragraph 14, in a parish to which this paragraph applies—

- (a) markets shall operate, and vending in public arcades and public transportation centres shall take place, only during the hours of 6:00 am to 6:00 pm, on Mondays to Saturdays; and
- (b) on Sundays, all markets shall remain closed, and no vending shall take place in public arcades and public transportation centres.”.

10. Paragraph 27 of the principal Order is amended by deleting sub-paragraph (3) (b) and substituting therefor the following—

“ (b) no person conducting door-to-door campaigning shall for that purpose enter the dwelling house of another person; and”.

11. The Third Schedule to the principal Order is amended by deleting item 43A and substituting therefor the following—

“ 43A. During the period from August 27, 2020, to September 4, 2020—

- (a) persons employed as election officers as defined by section 2(1) of the Representation of the People Act; and
- (b) a candidate as defined in section 2 of the Representation of the People Act, and not more than 5 members of the candidate’s staff”.

12. The Seventh Schedule to the principal Order is amended by inserting next after item 17A, the following item—

“ 17B. Persons employed or contracted, to undertake construction, by a person to whom a licence or permit to carry out such construction is issued under any law.”

Dated this 27th day of August, 2020.

ANDREW HOLNESS
Prime Minister.